

UNITED STATES DISTRICT COURT  
for the  
SOUTHERN DISTRICT OF WEST VIRGINIA  
Charleston

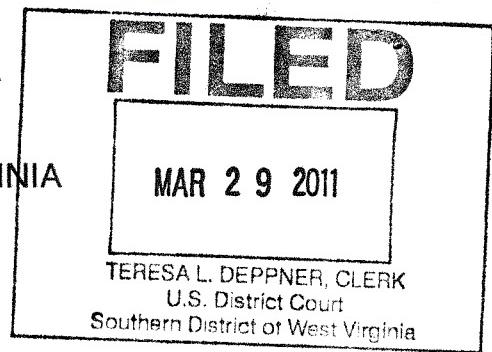
UNITED STATE OF AMERICA,  
Plaintiff,

v

Civil Action No. 2:11-cv-0101  
Judge Copenhaver

\$27,671.50, more or less,  
a financial instrument,  
Defendant.

Katherine Anne Hoover MD and  
John F. Tomasic,  
No pending federal charges.



MOTION TO REQUEST THAT JUDGE COPENHAVER RULE  
ON A PERJURY CHARGE AGAINST:  
MR. JAMES LAFFERTY AND MS. BETTY PULLIN

NOW COMES Katherine Anne Hoover MD, pro se, and requests that perjury charges be filed against Mr. James Lafferty and Ms. Betty Pullin pursuant to 28 U.S.C. S 1746.

First the Court and the Federal government have no jurisdiction over the practice of medicine and the search and seizure warrants should never have been issued by Magistrate Judge Mary Stanley. Title 21 801(a)(3)(C) separates the practice of medicine from law enforcement. Police officers, attorneys and judges are not able to judge the practice of medicine. The search and seizure warrant issued against WesBanco Account xxxx3002 was obtained without subject matter jurisdiction and based upon a false affidavit. A Motion to reconsider the final Order in Magistrate Case No. 2:10-mj 0029 has not received a response, so this in rem action is moot.

The money that was in WesBanco Account xxxx3002 was from two deposits: \$5,000.00 deposited in 2001 and \$22,000.00 deposited on March 12, 2004. The remaining money was interest on these two deposits. The deposit in 2001 was prior to Dr. Hoover's contracting to provide medical services in Williamson, West Virginia. The \$22,000.00 deposited on March 12, 2004 was a gift to Dr. Hoover from her parents which is demonstrated by the attached bank statement from the

trust account belonging to Dr. Hoover's parents: Margaret and Herbert Hoover. Exhibit B is a letter from Dr. Hoover's mother. The records from WesBanco were in the possession of the United States Attorney's office and/or the FBI for over one year. These records were returned to Dr. Hoover's son on March 7, 2011. Ms. Pullin makes multiple assertions that she knows to be false. The particular assertion regarding this account is in paragraph 14 "...Inasmuch as Hoover's primary if not sole source of income since at least 2004 was from her employment as a staff physician with the clinic..." is false. The bank records clearly demonstrate the deposits. The bank records from Fidelity Investments confirm the source of the \$22,000.00 deposit.

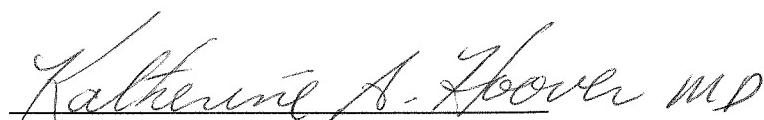
WHEREFORE, Katherine A. Hoover requests that this in rem action be dismissed with prejudice and that the Court discipline Mr. Lafferty and Ms. Pullin to the full extent of the law. Further, Dr. Hoover requests that the Court awards costs and damages to them in addition to returning her money.

Respectfully submitted,

  
Katherine A. Hoover

CERTIFICATE OF SERVICE

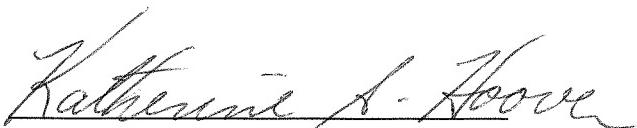
I, Katherine A. Hoover, hereby certify that a true and correct copy of the foregoing MOTION TO HAVE JUDGE COPENHAVER RULE ON A PERJURY CHARGE AGAINST MR. JAMES LAFFERTY AND MS. BETTY PULLIN is sent by Fed-ex to the United States Attorney's office for the Southern District of West Virginia 300 Virginia Street, East, Charleston, West Virginia 25301 on March 28, 2011.

  
Katherine A. Hoover MD  
c/o Dr. Norman Gay  
N-3222  
West Bay Medical Clinic  
West Bay Street  
Nassau, Bahamas

VERIFICATION

I, Katherine A. Hoover, declare under penalty of perjury as provided in 28 USC S 1746 that the foregoing Motion is true and correct to the best of my knowledge, except where it is stated that it is upon information and belief, in which case, I believe it to be true.

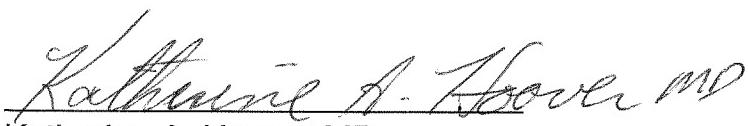
Executed on 28<sup>th</sup> March, 2011



Katherine A. Hoover  
c/o Dr. Norman Gay  
West Bay Street  
Nassau, N.P., Bahamas  
242-525-4018

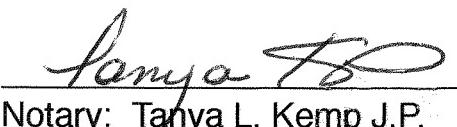
OATH:

The facts written above and in attached documents are known by me to be true or are believed to be true.



Katherine A. Hoover MD

Subscribed and sworn before me this 28<sup>th</sup> day of March, 2011.



Notary: Tanya L. Kemp J.P.

TANYA L. KEMP-SAWYER  
Justice of the Peace  
New Providence, The Bahamas  
Tel: 328-5568 Fax: 322-4768



*Private Access*

## Investment Report

March 1, 2004 - March 31, 2004

### Fidelity Account<sup>sm</sup> X13-0855804

HERBERT D HOOVER LIV TR U/A 03/27/97 HERBERT D HOOVER AND MARGARET A HOOVER TRUSTEES

#### Investment Activity

Settlement Date	Security	Description	Quantity	Price per Unit	Transaction Amount
3/01	FIRSTENERGY CORP	Dividend received		\$358.50	\$358.50
3/01	FORD MOTOR CO DEL COM	Dividend received		195.70	195.70
3/10	CHEVRONTEXACO CORP	Dividend received		462.82	462.82
3/10	EXXON MOBIL CORP	Dividend received		1,000.00	1,000.00
3/15	CSX CORP	Dividend received		199.40	199.40
3/16	DUKE ENERGY CORP.	Dividend received		811.80	811.80
3/31	FORMERLY DUKE POWER CO.	Directed dividend		1,463.84	1,463.84
	DIRECTED DIVIDEND FROM 2BT-267376 FMHTX				
3/31	FIDELITY MUNI MONEY MARKET	Dividend received		76.51	76.51

#### Cash Management Activity

Checking Activity (1)	Amount	Check #	Date	Code	Amount	Check #	Date	Code	Amount	Date	Balance
1053 3/ 15	-\$22,000.00	Total			-\$22,000.00					3/31	1,540.35

#### Daily Additions and Subtractions Fidelity Muni Money Market @ \$1 per share (the following is provided to you in accordance with industry regulations)

Date	Amount	Balance	Date	Amount	Balance	Date	Amount	Balance
3/ 01	\$554.20	\$204,248.73	3/ 15	-\$21,800.60	183,910.95	3/31	1,540.35	186,263.10
3/ 10	1,462.82	205,711.55	3/ 16	811.80	184,722.75			

March 14, 2011

P.O. Box 194

Milford MI 48381

To whom it may concern:

Enclosed is our Fidelity  
Account statement for

March 1-31, 2004, showing  
that our check #1053 in the  
amount of \$22,000 was made  
out to our daughter, Katherine  
Hoover, on 3/12/04. This  
represents gifts from each of us  
to her of \$11,000 - the maximum  
allowed at that time.

Sincerely yours,

Margaret A. Hoover STEE  
Herbert D. Hoover by Trust


**Expanded Service International Air Waybill**

Not all services and options are available to all destinations.

**1 From**Date 3/28/10 Sander's FedEx Account Number 242-

Sender's Name Katherine Hoover Phone 525-4018  
 Company C/O Dr. Norman Gay  
 Address N-3222 West Bay Med. Ctr.  
 Address West Bay St  
 City W. S. A. C. State N. P.  
 ZIP 304- Postal Code M. R.  
 Country Bahamas

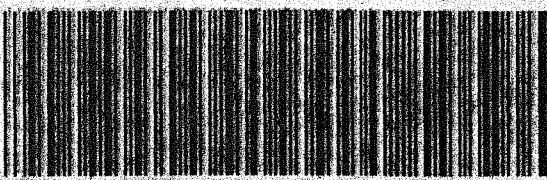
**2 To**

Recipient's Name Teresa Deppaver Phone 347-3000  
 Company Clerk of Court  
 Address US District Court SDWV  
 Address 300 Virginia St St. 2400  
 City Charleston State W V  
 ZIP 25301 Postal Code USA  
 Country USA

Recipient's Tax ID Number for Customs Purposes  
e.g. GST/RFC/VAT/IN/ABN, or as locally required.**3 Shipment Information**

Total Packages Shipper's Load and Count/SLAC	<u>1</u>	Total Weight <u>0.5</u>	<input checked="" type="checkbox"/> lbs. <input type="checkbox"/> kg	DIM <input type="checkbox"/> L <input type="checkbox"/> W <input type="checkbox"/> H <input type="checkbox"/> cm
Commodity Description <b>DETAIL REQUIRED</b>		Harmonized Code	Country of Manufacture	Value for Customs <b>REQUIRED</b>
<i>Docs</i>				

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**4a Express Package Service**

Packages up to 150 lbs./68 kg

FedEx Int'l. Priority       FedEx Int'l. First Available to select locations.  
Higher rates apply.

FedEx Int'l. Economy FedEx Envelope and FedEx Pak rates not available.

**4b Express Freight Service**

Packages over 150 lbs./68 kg

FedEx Int'l. Priority Freight       FedEx Int'l. Economy Freight

Booking Number

Please call your local FedEx office to book shipments.

**REQUIRED****5 Packaging**

\*These unique brown boxes with special pricing are provided by FedEx for FedEx Int'l. Priority only.

FedEx Envelope       FedEx Pak       FedEx Box       FedEx Tube  
 Other      PW  FedEx 10kg Box\*      PX  FedEx 25kg Box\*

**6a Special Handling**

HOLD at FedEx Location       SATURDAY Delivery Available to select locations.  
Does this shipment contain dangerous goods?

One box must be checked / ticked.

No       Yes As per attached  
Shippers Declaration, not required.

Dangerous goods (including dry ice) cannot be shipped in  
FedEx packaging.

Dry Ice

Dry Ice, 5 UN 1845 kg

CA  Cargo Aircraft Only**6b Broker Selection**

Not available with FedEx Int'l. First.

Int. Broker Select  
To specify a broker other than FedEx.

Broker's Name

City / State / Province / Country

ZIP / Postal Code

**REQUIRED**

Phone

**7a Payment Bill transportation charges to:**

Enter FedEx Acct. No. or Credit Card No. below.

<input type="checkbox"/> Sender Acct. No. in Section I will be filled.	<input type="checkbox"/> Recipient	<input type="checkbox"/> Third Party	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Cash Check/ Cheque
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*301-015000*

**7b Payment Bill duties and taxes to:**ALL shipments may be subject to Customs charges,  
which FedEx does not estimate prior to clearance.

Sender Acct. No. in  
Section I will be filled.

<input type="checkbox"/> Recipient	<input type="checkbox"/> Third Party	<input type="checkbox"/> Cash Check/Cheque
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FedEx Acct. No.

**8 Your Internal Billing Reference**

First 24 characters will appear on invoice.

**9 Required Signature**

Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department license. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract.

WARNING: These commodities, technology, or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to U.S. law is illegal.